

BOARD OF DIRECTORS – ACTION SUMMARY

Thursday, December 14, 2006 – 6:00 p.m.

**Administration Building
2101 Hurley Way, Sacramento, CA**

CALL TO ORDER

The meeting was called to order by Acting President Kelly. Board Members present: Goold, Granados, Jones, Kelly, Lawson, Valley. Directors Engellenner and Trujillo, absent. Staff: Fire Chief Mette, General Counsel Margarita, Board Clerk Tilson.

PLEDGE TO FLAG led by the Girl Scouts of Tierra Del Oro.

METRO CABLE 14 ANNOUNCEMENT

The open session Meeting is videotaped for cablecast on Metro Cable 14. Replay on Monday, December 18 at 6:00 p.m. and Tuesday, December 19 at noon on Channel 14; Webcast at www.sacmetro cable.tv. A VHS copy is also available for checkout from any library branch.

PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA

CONSENT AGENDA:

1. Board Meeting Action Summary—November 9, 2006

- **Board Action:**
Goold/Lawson—approve the consent Agenda. Directors Goold, Granados, Kelly, Lawson, Valley, AYE. Directors Duveneck and Jones, abstain. Directors Engellenner and Trujillo, absent. Motion carried.

ADD ITEM TO THE AGENDA:

Relative to the letter received by the Directors prior to the meeting this evening, Acting President Kelly requested Potential Litigation be added to the Closed Session.

- **Board Action:**
Jones/Duveneck—add item to the Closed Session. Directors Duveneck, Goold, Jones, Kelly, Lawson, Valley, AYE. Director Granados, abstained. Directors Engellenner and Trujillo, absent. Motion carried.

RECESS TO CLOSED SESSION 6:10 PM

[Taken out of order]

RECONVENE TO OPEN SESSION 8:32 PM

CLOSED SESSION GOVERNMENT CODES:

Report by General Counsel Margarita:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9(a) – One (1) Case

Russell Powell vs Sacramento Metropolitan Fire District
WCAB #SAC 351530

The Board heard evidence on the matter and gave direction to staff to negotiate a settlement.

2. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION

Pursuant to California Government Code Section 54956.9(3)(a) – One (1) Case

Roger Dyer vs Sacramento Metropolitan Fire District
Claim #2005041638

The Board heard evidence on the matter. A Resolution will be considered for action under Action Item No. 8.

3. POTENTIAL LITIGATION

No action was taken.

4. LABOR NEGOTIATIONS

Pursuant to California Government Code Section 54957.6

a. District Negotiator: Fire Chief Don Mette
Employee Organization: Unrepresented Employees

b. District Negotiator: Fire Chief Don Mette
Employee Organization: Administrative Support Personnel (ASP)

No action.

ACTION ITEM(S):**1. General Election Results—November 7, 2006—(Tilson)
Board Members – Divisions 1, 3, 7 and 9**

- In accordance with Elections Code §15400, the official election results of the November 7, 2006, General Election certified by the Sacramento County Office of Voter Registration and Elections for the positions of Director are as follows:

	<u>VOTES CAST</u>
<u>DIVISION 7:</u>	
* Matthew Kelly	13,790
Michael R. Rockenstein	3,655
<u>DIVISION 9:</u>	
* Gregory M. Valley	11,991
John D. Taylor	2,467
Bill Wirth	1,144
<u>DIVISION 1:</u>	
** H. Peter Engellenner	Unopposed
<u>DIVISION 3:</u>	
** James R. (Ray) Trujillo	Unopposed

* CANDIDATE ELECTED

** UNOPPOSED AND TAKE OFFICE AND SERVE EXACTLY AS IF ELECTED.

- Staff recommends the Board approve the declared election results certified by the Sacramento County Registrar of Voters.
- **Board Action:**
Jones/Lawson—approve the November 7, 2006, General Election results. Directors Duveneck, Goold, Granados, Jones, Kelly, Lawson, Valley, AYE. Directors Engellenner and Trujillo, absent. Motion carried.

2. Election of Board Officers—(Kelly)

- a. **President**
- b. **Vice President**
- c. **Secretary**

Acting President Kelly stated that Board President Engellenner had removed this item from the Agenda by a fax.

Following Agenda Item No. 8, Director Jones requested consideration of Action Item No. 2.

After further discussion, General Counsel Margarita deemed the item was on the posted agenda.

With this clarification provided, Director Jones nominated Director Matt Kelly for President, seconded by Director Duveneck.

Director Granados made a motion to table this item until the 28th of December, seconded by Director Lawson.

Acting President Kelly acknowledged that a motion to table takes precedence.

- **Board Action:**
Granados/Lawson—table this item until the 28th of December. Directors Gould, Granados, Lawson, Valley, AYE. Directors Duveneck, Jones, NO. Director Kelly, abstained. Directors Engellenner and Trujillo, absent.

Acting President Kelly stated the motion to table was upheld.

3. Bid Award – Station 66 Re-Roofing and HVAC Corrections—(Teich)

- At a previous meeting, the Board authorized the repair of the roof and the modified reinstallation of the existing HVAC equipment at Station 66 to correct the water leaks.
- A Request for Bids (RFB) was published with the following two responses:

D7 Roofing Services, Inc.	\$35,448.00
Hometown Construction Inc.	\$97,777.00

Facilities Division personnel reviewed the bids and determined that each met the minimum criteria. The RFB did not designate a starting date for the project, but once the District issues the notice to proceed and the work begins, the vendor should complete the project in five to seven days.

- A PowerPoint presentation was given illustrating the current problems and areas of correction.
- Staff recommends the Board award the contract for Station 66 Roof Repair and HVAC Corrections to D7 Roofing Services, Inc., the lowest responsible bidder, for \$35,448.

- In response to a concern by Director Goold regarding the huge discrepancy in the two bids, Mr. Teich stated D7 is a roofing contractor. Hometown is a busy general contractor and threw out a number and would have to subcontract all of the work.
- Director Kelly encouraged monitoring the work closely. He also recommended that copies of certified payrolls be provided to the District to determine that the prevailing wage is paid.

Fire Chief Mette stated this can be put into place.

- **Board Action:**
Goold/Lawson—approve staff recommendation. Directors Duveneck, Goold, Granados, Jones, Kelly, Lawson, Valley, AYE. Directors Engellenner and Trujillo, absent. Motion carried.

4. Resolution of Intent No. 45-06 – Authorizing an Amendment to the Contract With the California Public Employees’ Retirement System (CalPERS)- Fourth Level of 1959 Survivor’s Benefit for Local Miscellaneous And Local Safety Members—(Mette)

- This is a negotiated amendment to the agency’s contract with CalPERS.
- Cost of the contract amendment for Fourth Level of 1959 Survivor Benefits is determined by the system actuary as follows:

1.	First Year Employer Normal Cost	\$	44,921
2.	5-Year Amortization of Unfunded Liability/Excess	\$	(16,323)
	Asset Payment (fixed for 5 years)		
3.	First Year Total Employer Cost	\$	28,598

- Recommends the Board adopt the Resolution of Intent to be filed with CalPERS. The final resolution will be brought back for adoption at the first Board meeting in January 2007, pursuant to the CalPERS schedule of agency actions for amending a contract.

- **Board Action:**
Granados/Goold—adopt the resolution. Directors Duveneck, Goold, Granados, Jones, Kelly, Lawson, Valley, AYE. Directors Engellenner and Trujillo, absent. Motion carried.

5. **Resolution—Labor Contract—Administrative Support Personnel (ASP) MOU, Affiliate of Sacramento Area Firefighters Local 522—(Mette/Junn)**

Deleted.

6. **Resolution—Senior Management, Management and Unrepresented Confidential Employees—(Mette/Junn)**

Deleted.

7. **Resolution—Senior Safety Management Employees—(Mette/Junn)**

Deleted.

8. **Resolution No. 46-06—Industrial Disability Retirement for Firefighter Roger Dyer—(Baltzell)**

[Considered after the Closed Session]

- Work related injury precluding performance of duties in the position of Firefighter.
- Findings and determination that Roger Dyer is incapacitated for performance of the usual duties in the position for other California public agencies in CalPERS. Additionally, as a result of the incapacity, similar positions with reasonably comparable pay, benefits and promotional opportunities with other California public agencies are not available.
- Application filed with the Public Employees' Retirement System.
- Recommend approval; retirement effective December 15, 2006.
- **Board Action:**
Granados/Goold—adopt the resolution. Directors Duveneck, Goold, Granados, Jones, Kelly, Lawson, Valley, AYE. Directors Engellenner and Trujillo, absent. Motion carried.

PRESENTATION ITEM(S)

PRESIDENT'S REPORT—(Engellenner) None.

FIRE CHIEF'S REPORT—(Mette)

- Fire incident report since the last meeting – Seven working structure fires.
- District arson unit was involved in apprehending the juvenile responsible for the fire in the abandoned hotel on Bradshaw in the City of Rancho Cordova. This was discussed in the City of Rancho Cordova 2 x 2 Committee Meeting to enforce a nuisance abatement program. The building is scheduled to be demolished.
- December 2, 2006 – Grand opening/ribbon cutting ceremony for Stations 32 and 110 with a great attendance.
- December 7, 2006 – Graduated 15 new firefighters.
- Public Service Announcement on Christmas tree safety will go out on all networks.
- December 13, 2006 – City of Rancho Cordova 2 x 2 Committee meeting. Directors Jones and Granados were present. Discussed Station 68, the temporary station, and the purchasing of the properties for Station 61.
- December 13, 2006 – The Rancho Cordova Park and Recreation District Board agreed to the concept of the new station in their park.

Finance Director Sponable displayed a map of the proposed park site with a Fire Park theme in the Anatolia area. This will replace the temporary fire station. The vote was unanimous.

- Motorola radio update – County is moving ahead on the four repeater sites with \$4 million available to build.
- The dozer project bid award will be made at the December 28 Board meeting,
- Wished everyone Merry Christmas and Happy Holidays.

GENERAL COUNSEL'S REPORT—(Margarita)

- Merry Christmas.

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Engellenner)**

- Next meeting: TBD

Communications Center Delegate—(Valley)

- Received presentation.
- Next Meeting: December 19, 2006 – 10:30 AM
Deputy Chief Ritter will attend.

California Fire & Rescue Training Authority—(Goold)

- Received presentation. Deputy Chief Ray Jones from City of Sacramento replaced Deputy Chief Rod Chong.
- Next meeting: TBD

Finance Committee—(Kelly)

- Received presentation on today's meeting.
- Next meeting: January 11, 2007 – 5:00 p.m.

Policy Committee—(Lawson)

- Cost-recovery policy to be carried over to the January 25, 2007 meeting.
- Next meeting: December 28, 2006 – 5:00 p.m.

BOARD MEMBER QUESTIONS AND COMMENTS:**Board Members:**

- Wished everyone a Merry Christmas and a Happy Holiday Season.

Duveneck:

- Read into the record a prepared statement and submitted his resignation as Director of Division 6, effective at the end of December.

Granados:

- Congratulated Director Duveneck on his future endeavors and wished him good luck.

Lawson:

- Wished Director Duveneck well in the future.
- Congratulated the communities of Station 32 and Station 110 with new facilities. Staff did an excellent job on the open house for the neighboring communities.

- Congratulated the new cadets that graduated last Thursday and wished them well in their careers.

Valley:

- Extended his appreciation to all members of the Board.
- Wished Director Duveneck well at whatever he decides to do.

Kelly:

- Thanked Art Negrette for time spent with him today. He is doing an assessment of our Air Operations system and is very knowledgeable.
- The Building Trades and Carpenter's Union built Santa's Workshop in front of Circuit City between McDonald's and the car wash on Arden Way. Gifts are being received for underprivileged children. The DJ from the morning show on Radio Station 102.5 is living in the second story of Santa's Workshop and will be there until noon on Christmas Eve. Please take some unwrapped gifts for children and donate to the effort.

He serves on the Board of the Roberts Family Development Center, which is a non-profit organization and one of the recipients of the gifts. They operate in Del Paso Heights with many needy children out there.

- Thanked Director Duveneck for granting his son the interview for his senior research project.
- Wished Director Duveneck fun in the future.
- Director Lawson stated the Operation North Pole that Director Kelly alluded to is a volunteer action on behalf of the Carpenters and the Communications workers and there is a need for volunteers between 5:00 p.m. and 9:00 p.m. to assist in the intake of toys.

ADJOURNMENT – Meeting adjourned at 9:35 p.m.

H. Peter Engellenner, President

Ray Trujillo, Secretary

Charlotte Tilson, Clerk of the Board